

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JOHN ROE,

Petitioner,

v.

**LEONARD ODDO, in his official capacity
as Warden of Moshannon Valley
Processing Center, et al.,**

Respondents.

Case No. 3:25-cv-128

JUDGE STEPHANIE L. HAINES

ORDER

Pursuant to Federal Rule of Civil Procedure 65, “[t]he court may issue a temporary restraining order without written or oral notice to the adverse party or its attorney only if: (A) specific facts in an affidavit or a verified complaint clearly show that immediate and irreparable injury, loss, or damage will result to the movant *before the adverse party can be heard in opposition*; and (B) the movant’s attorney certifies in writing any efforts made to give notice and the reasons why it should not be required.” Fed. R. Civ. P. 65(b)(1) (emphasis added). Because Petitioner John Roe (“Mr. Roe”) has failed to show that any injury, loss, or damage will occur before Respondents can be heard in opposition, **IT IS HEREBY ORDERED** that Mr. Roe’s Motion for a Temporary Restraining Order and/or Preliminary Injunction (ECF No. 2) (the “Motion”) is **DENIED** insofar that it seeks relief via a temporary restraining order.

The Court will consider the Motion’s request for a preliminary injunction after appropriate briefing and, if necessary, a hearing. Therefore, **IT IS FURTHER ORDERED** that the Government will file a response to the Motion by May 9, 2025. Mr. Roe may file a reply in support of the Motion by May 14, 2025.

IT IS FURTHER ORDERED that Mr. Roe's counsel is directed to serve Respondents with a copy of his Petition for Writ of Habeas Corpus (ECF No. 1), the Motion (ECF No. 2), and the Motion to Proceed Under Pseudonym (ECF No. 3) and all accompanying papers, along with a copy of this Order, by email to the United States Attorney's Office for the Western District of Pennsylvania, and promptly to file proof of such service on the docket.

IT IS FURTHER ORDERED that the Government will file a response to Mr. Roe's Motion to Proceed Under Pseudonym (ECF No. 3) by May 9, 2025.

DATED: MAY 2, 2025

BY THE COURT

/s/ Stephanie L. Haines
STEPHANIE L. HAINES
UNITED STATES DISTRICT JUDGE